

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Via Email

Jessica Pennington
Director of Safety and Environmental Compliance
Emerald Transformer Western States, LLC
4509 State Hwy 83
Defuniak Springs, Florida 32433

Re: Clean Harbors Los Angeles, LLC Change of Ownership and Revised TSCA PCB Commercial Storage Permit Application – EPA ID # CAD050806850

Dear Ms. Pennington,

Thank you for the documents submitted to the U.S. Environmental Protection Agency, Region 9 (U.S. EPA) in response to our September 28, 2017 letter seeking additional information related to the Clean Harbors Los Angeles facility, located at 5756 Alba Street, Los Angeles, CA 90058 (Facility).

Thank you for the information that you have provided. Your November 2, 2017 letter states that as a result of the transaction by which Emerald Transformer Western States, LLC acquired the parent company of Clean Harbors Los Angeles, LLC, this LLC is changing its name to Emerald Transformer Los Angeles LLC (ETLA). Also as a result of this transaction, Clean Harbors Inc. no longer wishes to provide financial assurance for the Facility. In response to our request for clarification on the ownership of the Facility, you submitted information that states that ETLA has been and remains the owner of the building and land, as well as the operator of the Facility. Section 2.4 of the revised Application states that Emerald Transformer Los Angeles LLC is a wholly owned subsidiary of Emerald Transformer Western States, LLC and the parent's officers own and operate all the related subsidiaries. In a letter dated December 7, 2017 you provided a clean copy along with a markup copy of the TSCA Storage Application to identify what information has changed in relation to the above transaction. On January 30, 2017, you submitted a pdf of the Closure Cost Certification signed by Joe L. Christopher. ETLA also submitted financial assurance documents.

After review of the submitted documentation, U.S. EPA has determined that the documentation is still incomplete. Additional information and appropriate documents must be correctly submitted before U.S. EPA can evaluate and act on the transfer of ownership, facility name change, and request for change in financial assurance.

Additional Information and Documentation Needed

1. The January 9, 2018 submittal of the Standby Trust Agreement was not properly executed. Sending a pdf copy is not considered proper submission of the required financial assurance documents. An originally signed duplicate of the trust agreement must be submitted to U.S. EPA with the surety bond. See 40 CFR 765 (g)(3) and 264.143(c)(1) and 264.143(c)(3)(i).
2. The Performance Bond submitted on January 9, 2018 states that it is for an amount of \$91,598. Please adjust and submit the financial assurance to accurately reflect the inflated closure coverage that has been increased from \$91,598 to \$92,789.
3. The affidavit submitted by a responsible official of the former parent company, Clean Harbors Inc., does not fulfill the requirement in Subsection VI.B.1.a of the Approval. Please submit a notarized affidavit signed by a principal officer identified in Section 2.4 of the revised Application stating that the Emerald Transformer Western States, LLC will abide by the Approval.

If you have any questions regarding this letter, please contact Madison Sanders-Curry of my staff at (415) 972-3855 or sanders-curry.madison@epa.gov

Sincerely,

A handwritten signature in blue ink, appearing to read 'BGross', is positioned above the typed name.

Barbara Gross, Manager
Permits Section
Land Division

Cc via email:

Joe Christopher, Emerald Transformer, LLC
jchristopher@emeraldtransformer.com